

**REMARKS**

Claims 22-38 are currently pending in the present application, with Claims 1-21 being canceled, Claims 28 being amended, and Claims 29-38 being added. Reconsideration and reexamination of the claims are respectfully requested.

The Examiner rejected Claim 1 under 35 U.S.C. § 102(b) as being anticipated by Suzuki (JP-08-083063). This rejection is moot in view of the canceled claim.

The Examiner rejected Claims 2, 3, 5, 10-15, 17-21, 22, 23, 28, and 29 under 35 U.S.C. § 103(a) as being unpatentable over Suzuki in view of Taguchi (U.S. patent no. 4,939,969). This rejection is moot with respect to canceled Claims 2, 3, 5, 10-15, and 17-21, and respectfully traversed with respect to Claims 22, 23, 28, and 29.

The present invention as claimed in Claim 22 is directed to an electronic musical instrument keyboard that includes, inter-alia, a cover unit having a front and a rear cover that are pivotally connected to each other via a hinge device (an embodiment of which is shown as element 33 in Figs. 1-3 of the present application). The cover unit (including the hinge device) is pivotally movable about a pivotal motion support member (an embodiment of which is shown as element 40 in Figs. 1-3 of the present application). As shown in Fig. 2 of the present application, the cover unit is may be pivoted about the pivotal motion support member such that the hinge device becomes positioned below the pivotal motion support. This aspect of the electronic musical instrument is explicitly claimed in Claim 22, at the first wherein clause “and said hinge device is capable of pivotally moving until said hinge device becomes positioned below said pivotal motion support.”

This feature of the present invention as claimed in Claim 22 allows for designing the musical instrument to have a reduced height and depth.

Although Suzuki discloses, as the Examiner points out at page 2 of the Detailed Action, a hinge device 16 that pivotally connects a front cover with a rear cover such that the cover unit lays open a space above the keyboard when the cover unit is in an open state, Suzuki does not contain any disclosure or suggestion of a cover unit that includes a hinge device, which is capable of pivoted to a state such that it becomes below a pivotal motion support member. Rather, as shown in Figs. 1 and 2 of Suzuki, the hinge member 16 is never below a pivotal motion support member. Taguchi fails to make up for this deficiency. Specifically, Taguchi simply shows the operation panel of an acoustic piano. There is no disclosure of the details discussed above. Accordingly, Applicants submit that Claim 22 (and dependent Claim 23) is not anticipated by, nor obvious in view of, Suzuki and Taguchi.

With respect to amended Claim 28, which is directed to a musical instrument with a fallboard that includes a hinge device, where the fallboard includes a first and a second fallboard member that are pivotally connected to each other via the hinge device, Claim 28 is amended to require that the thickness of the first fallboard member be progressively reduced toward the free end of the first fallboard member (as shown in Figs. 5 and 6 of the present application). Specifically, Claim 28 includes the recitation that upper and lower surfaces of the first fallboard member become closer to each other toward the free end of the fallboard member, such that the first fallboard member has a progressively reduced thickness towards the free end. By designing the fallboard member such that the weight of the fallboard member is gradually reduced to the free end, the rotational moment caused by the opening and the closing of the fallboard member can be reduced.

Neither Suzuki nor Taguchi contain any disclosure of a gradually reduced thickness of a fallboard member as recited in Claim 28. Rather, as shown in the figures of both references, the fallboard members have uniform thickness from the pivot towards the free end. Accordingly, Applicants respectfully submit that Claim 28 (and dependent Claim 29) is not anticipated by, nor obvious in view of, Suzuki and Taguchi.

The Examiner rejected Claims 4 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Suzuki in view of Taguchi and further in view of Takahashi (USPGP 2002/0017187). This rejection is moot in view of the canceled claims.

The Examiner rejected Claims 6, 24, and 25 under 35 U.S.C. § 103(a) as being unpatentable over Suzuki in view of Day (U.S. patent no. 2,554,665). This rejection is moot with respect to canceled Claim 6, and respectfully traversed with respect to Claims 24 and 25.

Claims 24 is directed to an electronic musical instrument that includes a rear cover, which is pivotally supported by one end of a link member, and when the cover unit is pivotally moved into an open state or a closed state, the rear end of the rear cover is positioned above a front end of the rear cover (see last wherein clause of the claim). An embodiment of this is shown in Figs. 2 and 3 of the present application.

Suzuki shows a hinge 16 pivotally connected to the front lid 12 and the rear lid 13, which is pivotally movable about pivot 17. Suzuki does not show or suggest a rear cover where the rear end of the rear cover is positioned above the front end of the rear cover during the opening/closing of the lid. Rather, as shown in Fig. 1 of Suzuki, the front end of the rear lid 13 is shown as in a position above the rear end of the rear lid 13; the mechanism shown in Suzuki is not capable of

achieving the state of having a rear end of the read lid be positioned above the front end of the rear lid.

Day fails to make up for the deficiencies of Suzuki. Similar to Suzuki, Figs. 1 and 2 of Day show a fallboard 11 that is connected to an arm 17, which is connected to a link 19 that is pivotally movable about a fixed end. In Day, the fallboard 11 can only slide with the front and rear ends of the fallboard kept at the same height.

Accordingly, Applicants respectfully submit that Claim 24 (and dependent Claim 25) is not anticipated by, nor obvious in view of, Suzuki and Day.

The Examiner rejected Claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Suzuki in view of JP Pub. No. 2002-62865. This rejection is moot in view of the canceled claim.

The Examiner rejected Claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Suzuki in view of Taguchi and further in view of Day. This rejection is moot in view of the canceled claim.

The Examiner rejected Claims 26 and 27 under 35 U.S.C. § 103(a) as being unpatentable over Suzuki in view of Taguchi and further in view of JP No. 2002-62865 ("JP '865"). This rejection is respectfully traversed.

Claim 26 is directed to a musical instrument that includes a cover unit having a hinge device pivotally connecting a front and a rear cover. As with Claim 22 discussed above, the hinge device is capable of being moved to a position below the pivotal motion support member such that a majority of the front cover can be accommodated inside the instrument body in an open state of the cover unit.

As discussed above, neither Suzuki nor Taguchi contain any disclosure or suggestion of designing a pivotal connection such that a hinge member of the front and rear cover can be moved

into a position below the pivotal motion support member. JP '865 fails to make up for this deficiency. Specifically, JP '865 discloses only a coil spring 67 that functions as a damper unit of a keyboard lie. JP '865 does not contain any disclosure or suggestion of a moving a hinge member of a cover unit to a position below a pivotal motion support member of the cover unit. Accordingly, Applicants respectfully submit that Claim 26 (and dependent Claim 27) is not anticipated by, or obvious in view of, Suzuki, Taguchi, and JP '865.


In view of the above, each of the presently pending claims in this application is believed to be in condition for allowance. New Claims 30-38 are added to claim further aspects of the present invention; they depend on pending independent claims and are submitted as in condition for allowance for the same reasons provided above.

If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no.393032044400. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: December 11, 2006

Respectfully submitted,

By   
David T. Yang

Registration No.: 44,415  
MORRISON & FOERSTER LLP  
555 West Fifth Street  
Los Angeles, California 90013-1024  
(213) 892-5587